

MINUTES OF THE COMMISSION FOR HUMAN RIGHTS

April 24, 2015

A regular meeting of the Commission for Human Rights was held on Friday, April 24, 2015. Present at the meeting were Commissioners Camille Vella-Wilkinson, Angelyne E. Cooper, Esq. and Rochelle Bates Lee. Absent were Commissioner John B. Susa, Chair, Iraida Williams, Tolulope Kevin Olasanoye, Esq. and Alberto Aponte Cardona, Esq. The meeting commenced at 12:55 p.m.

Commissioner Lee moved to approve the minutes of March 27, 2015. Commissioner Cooper seconded and the motion carried unanimously.

Status Report of Michael D. Évora, Executive Director

A written report was handed out. All new information is in bold print. The Director reported that several charges have been taken in on “Ban the Box” alleging violations of the law, and that one is on its way to court with a right to sue after a finding of probable cause.

Case Production Report – Attached

Aged Case Report – No aged cases to report.

Outreach Report – Attached

STATUS REPORT – COMMISSIONERS

OUTREACH: Commissioner Vella-Wilkinson has been selected to serve on a search committee to interview candidates for the Adjutant General of the Rhode Island National Guard. Commissioner Vella-Wilkinson also attended an AARP meeting at which a recent study on the benefits of challenging courses for seniors was discussed. There is a proposal that senior citizens be allowed to audit one class per semester at public colleges for half the price.

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GENERAL STATUS: Legal Counsel Francis Gaschen informed the Commissioners of an Accounts and Control policy A-36 regarding lunches and coffee breaks for Commissioners.

STATUS REPORT – LEGAL COUNSEL: by Cynthia M. Hiatt and Francis Gaschen.

LITIGATION: Counsel and the Commissioners reviewed pending litigation in which the Commission has a role. Report attached.

LEGISLATION: Legal Counsel reported on pending bills relating to

civil rights and the bills were discussed. The Commissioners recommended that a study commission be created to study proposed legislation that would amend the Fair Employment Practices Act to protect caregivers.

Resolution on Marriage Rights of Incarcerated Persons: Commissioners asked legal counsel to draft a proposed amendment to the current law that would restore marriage rights to incarcerated individuals serving life sentences. The Commissioners would then decide whether there was community support and support by the Department of Corrections for an amendment.

HEARING SCHEDULE/STATUS OF HEARING CASES: Commission Counsel discussed with the Commissioners the hearing schedule.

The meeting adjourned at 2:14 p.m. The next regular meeting of the Commission is May 29, 2015 at 12:00 noon.

Respectfully Submitted,

**Michael D. Evora
Executive Director**

Notes taken by B. Ross

**EXECUTIVE DIRECTOR'S
REPORT TO COMMISSIONERS
24 April 2015**

I. BUDGET

S = State/General Revenue; F = Federal (EEOC/HUD); T = Total

	FY 2015 (Enacted)	FY 2015 (Rev. Req)	FY 2015 (Revised)	FY 2016 (Req.)	FY 2016 (Gov. Rec.)
S	1,193,083	1,206,185	1,221,763	1,231,273	1,252,174
F	287,096	332,950	310,692	319,355	295,386
T	1,480,179	1,539,135	1,532,455	1,550,628	1,548,010

On June 13, the House passed a budget which included funding for the Commission consistent with the Governor's recommendations for FY14 and FY15 (see above). The Senate passed the budget on June 16, 2014 and it was signed by the Governor on June 19, 2014.

The Commission's FY15 (Revised) and FY16 (Requested) budget requests were submitted to the Governor, House/Senate Fiscal Advisors and Budget Office officials on September 12, 2014. See above for details.

The Governor has submitted her FY 2015 (Revised) and FY 2016 (Recommended) budgets for the Commission to the General

Assembly. Details are noted above.

I submitted the Commission's FY15 Third Quarter report to the Budget Office on April 7. We project a deficit of approximately \$28,600 in General Revenue at the end of the fiscal year, primarily attributable to the unexpected Cost of Living Adjustment (COLA) increases for staff. The COLA deficit, however, is expected to be covered by the Governor's FY15 Revised Budget recommendation, which provides an increase in General Revenue to account for these increases.

The House Finance Subcommittee on General Government held a hearing on the Commission's FY15 (Revised) and FY16 (Recommended) budget proposals, Cynthia Hiatt attended the hearing in my absence, gave a brief overview of the Commission's accomplishments in FY14, and answered questions from Committee members.

II. FEDERAL CONTRACTS

EEOC – For federal FY12 (ending September 30, 2012), according to EEOC Project Director Marlene Toribio, we closed 237 co-filed cases.

Our contract with EEOC for FY12 was for 235 cases. For federal FY13 (ending September 30, 2013), we closed 201 co-filed cases. Our contract with EEOC for FY13 was for 199 cases. For federal FY14 (ending September 30, 2014), we closed 232 co-filed cases. Our

modified contract for FY14 was for 230 cases. For federal FY15 (beginning October 1, 2014), we have closed 102 co-filed cases. Our contract for federal FY15 is as yet unknown.

HUD – For FY13, we took in 51 new housing charges, all of which were co-filed with HUD, and we processed 50 cases, 47 of which were co-filed with HUD. For FY14, we took in 49 new housing charges, 47 of which were co-filed with HUD, and we processed 51 cases, 50 of which were co-filed with HUD (three of these processed cases were post-PC conciliations). For FY15 (beginning July 1, 2014), we have taken in 93 new housing charges, 63 of which are (or are expected to be) co-filed with HUD. (27 were not eligible for co-filing and three were deferred to HUD for investigation.) Within this same time period, we have processed 68 cases, 51 of which were co-filed with HUD; two of these processed cases were post-PC conciliations.

UPDATE ON HUD PARTNERSHIP GRANTS – The first grant, for approximately \$56,000, was for a targeted outreach (including development of training/education materials) to the LGBT community and victims of domestic violence. On March 17, former Investigator Susan Pracht began a nine-month position as Community Liaison Specialist overseeing the implementation of the LGBT/Domestic Violence grant. The project is complete. Susan Pracht has submitted her final report to HUD. Because the project came in under budget, we requested that HUD permit us to use leftover grant funds to produce a general fair housing brochure, poster and Power Point

presentation for use in outreaches going forward, and to conduct five fair housing outreaches throughout the state. That request has been approved. A general fair housing poster and brochure have been drafted and approved by HUD. We now await word on the pending “military status” amendment to the state fair housing law before proceeding with translation, printing and distribution.

III. PERSONNEL – No new information.

IV. OUTREACH – Refer to attached report.

V. GENERAL STATUS

●Meetings with staff members – I continue to meet monthly with individual investigative staff members to monitor case production.

●Case Closures – Refer to attached report.

In FY11, we processed 422 cases; in FY12, we processed 411 cases (approx. 3.5% decrease). For FY13, we processed 389 cases (approx. 5% decrease from FY12). For FY14 (beginning July 1, 2013), we processed 376 cases (decrease of approx. 3% from FY13). For FY15 (beginning July 1, 2014), we have processed 286 cases (compare to 274 cases in this same time period in FY14).

●Aged Cases – There are no aged cases in the Commission’s

inventory for federal FY15 (beginning October 1, 2014).

●Overall Case Inventory – The Commission had over 1000 cases in its inventory at the end of FY 1998. We ended FY11 with 323 cases in inventory, FY12 with 255 cases, FY13 with 265 cases, and FY14 with 290 cases. As of 4/23/15, we had a total of 347 cases in inventory; 24 of these cases were pending assignment.

●HUD Onsite/Performance Assessment – Two officials from HUD conducted an onsite visit on March 16 as part of HUD’s annual performance assessment process. During the course of the on-site, the HUD officials interviewed me, Cynthia Hiatt, Frank Gaschen and Angie Lovegrove; they also conducted reviews of ten housing case files to assess compliance with HUD case-processing guidelines. We now await HUD’s report/conclusions.

●Office Migration – On April 22, technicians from the state Division of Information Technology came to the office to conduct a conversion/ migration of all of our files so that, going forward, these items are now backed up into the state “forest” (or “cloud”) on a daily basis. Previously, the only backup which existed was internal to the office.

Respectfully submitted,

Michael D. Évora

Executive Director

Attachments